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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/761,351 | 01/22/2004 | Craig Ullman | 559442600204 |

CONFIRMATION NO. 3432

25227
MORRISON & FOERSTER LLP
1650 TYSONS BOULEVARD
SUITE 300
MCLEAN, VA 22102

FORMALITIES LETTER



OC000000012463075

Date Mailed: 04/27/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/28/2004 CNGUYEN 00000082 031952 10761351

FILED UNDER 37 CFR 1.53(b)

| | |
|------------|-----------|
| 01 FC:1001 | 770.00 DA |
| 02 FC:1051 | 130.00 DA |
| 03 FC:1202 | 324.00 DA |
| 04 FC:1201 | 172.00 DA |

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
 - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 2-45 are not in compliance with 37 CFR 1.52(a).

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1-9.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$3232** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$4132** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$3232**
 - **\$172** for 2 independent claims over 3.
 - **\$3060** for 170 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

JUL 27 2004

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 1,506.00)**Complete if Known**

| | |
|----------------------|------------------|
| Application Number | 10/761,351 |
| Filing Date | January 22, 2004 |
| First Named Inventor | Craig ULLMAN |
| Examiner Name | Not Yet Assigned |
| Art Unit | 2154 |
| Attorney Docket No. | 559442600207 |

METHOD OF PAYMENT (check all that apply)
 Check Credit Card Money Order Other None
 Deposit Account:Deposit Account Number **03-1952**Deposit Account Name **Morrison & Foerster LLP**

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
- Charge any additional fee(s) or any underpayment of fee(s)
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity | Small Entity | Fee Description | Fee Paid |
|---------------------|--------------|---|---------------|
| 1051 | 130 | 2051 65 Surcharge - late filing fee or oath | 130.00 |
| 1052 | 50 | 2052 25 Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 130 Non-English specification | |
| 1812 | 2,520 | 1812 2,520 For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 920* Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 1,840* Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 55 Extension for reply within first month | 110.00 |
| 1252 | 420 | 2252 210 Extension for reply within second month | |
| 1253 | 950 | 2253 475 Extension for reply within third month | |
| 1254 | 1,480 | 2254 740 Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 1,005 Extension for reply within fifth month | |
| 1401 | 330 | 2401 165 Notice of Appeal | |
| 1402 | 330 | 2402 165 Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 145 Request for oral hearing | |
| 1451 | 1,510 | 1451 1,510 Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 55 Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 665 Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 665 Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 240 Design issue fee | |
| 1503 | 640 | 2503 320 Plant issue fee | |
| 1460 | 130 | 1460 130 Petitions to the Commissioner | |
| 1807 | 50 | 1807 50 Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 180 Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 40 Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 385 Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 770 | 2810 385 For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 770 | 2801 385 Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 900 Request for expedited examination of a design application (PCT) Oath or dec after 20 or 30 mos. from priority date | |
| Other fee (specify) | 1617 | | |

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 240.00)

**or number previously paid, if greater; For Reissues, see above

| SUBMITTED BY | | (Complete if applicable) | | |
|-------------------|---|--------------------------------------|---------------|--------------------------|
| Name (Print/Type) | Jonathan Bockman Morrison & Foerster LLP | Registration No. (Attorney/Agent) | 45,640 | Telephone (703) 760-7769 |
| Signature | | Date | July 27, 2004 | |



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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|--|----|------------------------|------------------|
| | | Application Number | 10/761,351 |
| | | Filing Date | January 22, 2004 |
| | | First Named Inventor | Craig ULLMAN |
| | | Art Unit | 2154 |
| | | Examiner Name | Not Yet Assigned |
| Total Number of Pages in This Submission | 68 | Attorney Docket Number | 559442600207 |

ENCLOSURES (Check all that apply)

| | | |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input checked="" type="checkbox"/> Drawing(s) (7 sheets – Figures 1-9) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Reply - Preliminary | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input checked="" type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | Substitute Specification; and Letter Submitting Replacement Drawings (7 sheets – Figures 1-9) |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | | |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|---|
| Firm or Individual name | MORRISON & FOERSTER LLP Jonathan Bockman, 45,640 |
| Signature | |
| Date | July 27, 2004 |